

# OECA Enforcement Case Conclusion Data Sheet

All items marked REQ are required input.

## A. Case and Facility Background

1. (a) Enf. Action ID IAD984589093  
(b) Enf. Action Name Citizens Gas and Electric Co. Site  
Judicial District Administrative  
Court Docket No. CERCLA-07-2020-0089  
Court Case Name In re Citizens Gas & Electric Co. Site  
DOJ No. DOJ No.  
DOJ Case Name DOJ Case Name
2. (a) CERCLIS Site ID 07HY  
(b) CERCLIS Site No. IAD984589093

## CONCURRENCE

(Please enter last name and date of concurrence MM/DD/YY)

STAFF		SUPERVISOR	
ORC	<u>Chiccone</u>	ORC	<u>Hoefer</u>
Ext.	<u>7917</u>	Ext.	<u>7503</u>
Date	<u>9/25/2020</u>	Date	<u>9/26/2020</u>
Program	<u>Smith</u>	Program	<u>Buchholz</u>
Ext.	<u>7795</u>	Ext.	<u>7473</u>
Date	<u>9/25/2020</u>	Date	<u>9/29/2020</u>

3. Final Order Type  
Judicial **REQ** Choose an item.  
Administrative Proposed Administrative Settlement
4. Was Alternative Dispute Resolution (ADR) used in this action? Y/N No
5. Was an Environmental Management System requested? Y/N No
6. (a) Administrative Conclusion Dates  
Final Order Issued: 9/22/2020 Estimated Termination Date: **REQ** MM/DD/YY  
Actual Termination Date: MM/DD/YY Most Recent Amendment Date: MM/DD/YY  
Agreement in Principal Date: MM/DD/YY  
(b) Civil Judicial Conclusion Dates  
CD Lodged: **REQ** MM/DD/YY CD Entered: **REQ** MM/DD/YY  
Estimated Termination Date: **REQ** MM/DD/YY
7. Defendant(s)/Respondent(s) Black Hills/Iowa Gas Utility Company, LLC, Iowa Dept. of Transportation, and T&A Real Estate, LLC
8. Specific Authorizing Statutes Used (**REQ** Select all that apply)  
CERCLA 106 AO for Resp Action/Imm Haz Choose an item.  
Choose an item. Click or tap here to enter text.
9. (a) **REQ** Enforcement Case Summary for Public Distribution (TBD by Program(s) and ORC)

(b) (5), (b) (7)(A)

(b) (5), (b) (7)(A)

(b) Sensitive Comments not for Public Distribution

Sensitive Comments

10. Federal Statute(s) Violated **REQ** (ex: CAA, FIFRA, EPCRA, CWA) Do not input U.S.C. or C.F.R. citations here

CERCLA

Statute 2

Statute 3

Statute 4

Statute 5

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11. National and/or Regional Initiative? Y/N

No

If YES, please select initiative: Choose an item.

If YES, please select initiative: Choose an item.

If YES, please select initiative: Choose an item.

If YES, please select initiative: Choose an item.

12. Is this a Multi-Regional Case? Y/N

No

13. Facility Information

Facility Name: Citizens Gas and Electric Co. Superfund Site

Full Facility Street Address: Between 10th and 11th Ave. and 6th and 8th Street, Council Bluffs, IA

Small Business Y/N: No

Latitude & Longitude Coordinates: 41.252288 and -95.854420

Programmatic ID#: Programmatic ID#

### B. Penalty

14. Notice Pleading Y/N Choose an item.

15. Penalty Assessed to be Paid to -

(a) EPA Total \$:

\$ 0

Breakdown by Statute:

Statute: Statute

Amount \$

Dollar Amt

Breakdown by Statute:

Statute: Statute

Amount \$

Dollar Amt

Breakdown by Statute:

Statute: Statute

Amount \$

Dollar Amt

(b) Federal Agency/Dept. Other than EPA \$: \$ Dollar Amt

(c) State/Local Agency \$: \$ Dollar Amt

16. Total Penalty Collected (if known) \$:

\$ 0

### C. Cost Recovery

17. Amount of Cost Recovery Required

(a) EPA Total \$:

\$ Dollar Amt

(b) State and/or Local Government:

\$ Dollar Amt

(c) Other:

\$ Dollar Amt

**D. Supplemental Environmental Project (SEP) Information**

18. Is Environmental Justice (EJ) addressed by impact of SEP? Y/N Choose an item.

19. SEP Description:

Description of each SEP

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### Section D Continued:

#### 20. Category of SEP(s)

- ☐ (a) Public Health
- ☐ (b) Pollution Prevention
- ☐ (1) Equipment/Technology modifications
- ☐ (2) Process/Procedure modifications
- ☐ (3) Product Reformulation/Redesign
- ☐ (4) Raw Material Substitution
- ☐ (5) Improved Housekeeping/O&M/Training/Inventory Control
- ☐ (6) In-Process Recycling
- ☐ (7) Energy Efficiency/Conservation
- ☐ (c) Pollution Reduction
- ☐ (d) Environmental Restoration and Protection
- ☐ (e) Assessments and Audits
- ☐ (f) Environmental Compliance Promotion
- ☐ (g) Emergency Planning and Preparedness
- ☐ (h) Other Program Specific SEP

21. Cost of SEP \$ \$ Dollar Amt

#### 22. Quantitative environmental pollutants and/or chemicals and/or waste-streams, amount of reduction/eliminations (ex: emissions/discharges) of SEP?

Pollutant/Chemical Waste Stream	Amount	Unit	Impacted Media
Pollutant/Chemical	Amount	Choose an item.	Choose an item.
Pollutant/Chemical	Amount	Choose an item.	Choose an item.
Pollutant/Chemical	Amount	Choose an item.	Choose an item.
Pollutant/Chemical	Amount	Choose an item.	Choose an item.
Pollutant/Chemical	Amount	Choose an item.	Choose an item.

### E. Cost of Complying Action(s)/Injunctive Relief (Non-SEP)

(APOs w/o inj. Relief [3(c) above], Superfund Admin. Cost Recovery Agreements [3(n) above] SKIP THIS SECTION)

#### 23. Cost of actions (Actual cost data supplied by violator is preferred figure) \$ Dollar Amt

Indicate OEC National Enforcement Initiative(s) amounts below, if applicable

NEI Choose an item. \$ Dollar Amt

NEI Choose an item. \$ Dollar Amt

### F. Quantitative Environmental Impacts

24. What action did the violator accomplish prior to receipt of settlement/order or will take to return to compliance or meet additional requirements (other than what has already been reported on the Inspection Conclusion Data Sheet (ICDS)). This may be due to settlement/order requirements or otherwise required by statute or regulation (e.g. actions related to an APO which did not specify compliance requirements). Select the applicable appropriate outcome categories and actions from the lists below. One selection per line.

	Prevention of Future Releases	Reduction of Ongoing Releases	Removal and Restoration
(a)	<u>Choose an item.</u>	<u>Choose an item.</u>	<u>Choose an item.</u>
(b)	<u>Choose an item.</u>	<u>Choose an item.</u>	<u>Choose an item.</u>
(c)	<u>Choose an item.</u>	<u>Choose an item.</u>	<u>Choose an item.</u>
(d)	<u>Choose an item.</u>	<u>Choose an item.</u>	<u>Choose an item.</u>

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### Section F Continued:

25. Quantitative environmental impact of actions described in item #23. (Add pollutants on blank sheet). For **each** action, provide the following.

If pollutant impacted water, is it an impaired waterbody? Y/N Choose an item.

#### Complying Action from Q.#23(a)

(a)	<b>Prevention of Future Releases</b>		<b>Reduction of Ongoing Releases</b>		<b>Removal and Restoration</b>
	Choose an item.		Choose an item.		Choose an item.
	<b>Pollutant, Chemical/Waste Stream</b>	<b>Amount</b>	<b>Unit</b>	<b>Impacted Media</b>	<b>NCI (NEI)</b>
	Pollutant/Chemical	Amount	Choose an item.	Choose an item.	Choose an item.
	Pollutant/Chemical	Amount	Choose an item.	Choose an item.	Choose an item.

#### Complying Action from Q.#23(b)

(b)	<b>Prevention of Future Releases</b>		<b>Reduction of Ongoing Releases</b>		<b>Removal and Restoration</b>
	Choose an item.		Choose an item.		Choose an item.
	<b>Pollutant, Chemical/Waste Stream</b>	<b>Amount</b>	<b>Unit</b>	<b>Impacted Media</b>	<b>NCI (NEI)</b>
	Pollutant/Chemical	Amount	Choose an item.	Choose an item.	Choose an item.
	Pollutant/Chemical	Amount	Choose an item.	Choose an item.	Choose an item.

#### Complying Action from Q.#23(c)

(c)	<b>Prevention of Future Releases</b>		<b>Reduction of Ongoing Releases</b>		<b>Removal and Restoration</b>
	Choose an item.		Choose an item.		Choose an item.
	<b>Pollutant, Chemical/Waste Stream</b>	<b>Amount</b>	<b>Unit</b>	<b>Impacted Media</b>	<b>NCI (NEI)</b>
	Pollutant/Chemical	Amount	Choose an item.	Choose an item.	Choose an item.
	Pollutant/Chemical	Amount	Choose an item.	Choose an item.	Choose an item.

#### Complying Action from Q.#23(d)

(d)	<b>Prevention of Future Releases</b>		<b>Reduction of Ongoing Releases</b>		<b>Removal and Restoration</b>
	Choose an item.		Choose an item.		Choose an item.
	<b>Pollutant, Chemical/Waste Stream</b>	<b>Amount</b>	<b>Unit</b>	<b>Impacted Media</b>	<b>NCI (NEI)</b>
	Pollutant/Chemical	Amount	Choose an item.	Choose an item.	Choose an item.
	Pollutant/Chemical	Amount	Choose an item.	Choose an item.	Choose an item.

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### G. Non-Quantitative Activities/Impacts (Non-SEP)

Choose all that apply.

Choose an item.

Choose an item.

Choose an item.

Choose an item.

26. Milestone Activities to be Tracked? (Y/N)

No

Milestone Number	Planned Date(s) of Milestone Completion
Milestone Number-Below	MM/DD/YY
Milestone Number-Below	MM/DD/YY
Milestone Number-Below	MM/DD/YY
Milestone Number-Below	MM/DD/YY
Milestone Number-Below	MM/DD/YY

#### Milestone Reference List (Use Scrollbar to scroll down)

- 1 308 Letter Requirement
- 2 90-Day Compliance Report
- 3 Abide by Interim Limits
- 4 Achieve Final Compliance With All Obligations Under This order
- 5 Achieve Final Compliance With Emission or Discharge Limits
- 6 Acute Toxicity Data
- 7 Acute Toxicity Data Plan
- 8 Adjudicatory Hearing Requested
- 9 Adopt Local Limits
- 10 Adopt Storm Water Control Program
- 11 Adopt Storm Water Ordinance
- 12 Advertise for Bids
- 13 Advertise Project
- 14 Alternate Power Source

### EJ SCREEN DETERMINATION (To be determined by ECO/EJ)

**REQUIRED SECTION** For questions, please contact EJ Team

EJ Screen Flag: (Y/N/Exempt)

Choose an item.

Enhanced Review for Potential EJ Concerns:

Choose an item.

Basis of EJ Determination (check all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> EJ Screen Data                | <input type="checkbox"/> EPA Knowledge of Community (including inspector observations) |
| <input type="checkbox"/> Community Self-Identification | <input type="checkbox"/> State/local/tribal govt knowledge of community/location       |
| <input type="checkbox"/> Public Input                  | <input type="checkbox"/> Other federal govt knowledge of community/location            |
| <input type="checkbox"/> Tribal Population             | <input type="checkbox"/> Other basis (explain with findings)                           |

Explanation of Basis for Potential EJ Concern Finding or Exemption from EJ Review:

Explanation of Basis

NOTE: The Environmental Protection Agency does not guarantee the accuracy, completeness, or timeliness of the EJ information shown, and shall not be liable for any injury or loss resulting from reliance upon the information shown.